



10/021,112

PATENT  
Customer No. 22,852  
Attorney Docket No. 08556.0001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard H. Curtis

Group Art Unit: 2877

Patent No.: 6,741,365 B1

Examiner: Vincent P. Barth

Issued: May 25, 2004

For: PHOTOMETRIC CALIBRATION  
OF LIQUID VOLUMES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

Enclosed is the following:

- 1) Application For Patent Term Adjustment-Post Grant, and
- 2) Check for \$200.00.

Please charge any deficiencies to our Deposit Account No. 06-0916. If there are any other fees due in connection with the filing of this request, please charge them to our Deposit Account No. 06-0916.

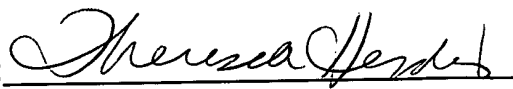
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated:

July 19, 2004

By:



Therese Hendricks  
Reg. No. 30,389



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Sir:

**APPLICATION FOR PATENT TERM ADJUSTMENT-POST GRANT**

In accordance with 37 C.F.R. § 1.705(b), Applicant hereby applies for patent term adjustment under 35 U.S.C. § 154(b) of 68 days. This application is being filed within two months of issuance of the above patent, as required by 37 C.F.R. § 1.705(d).

**I. Statement of the Facts Involved**

**A. Correct Patent Term Adjustment**

According to information printed on the face of the above-identified issued patent, this patent is entitled to 157 days of patent term adjustment.

Applicant has calculated a patent term adjustment of 225 days based on the following facts:

### **Relevant Dates**

The above-identified application was allowed on January 21, 2004.

Applicant filed Comments on the Examiner's Statement of Reasons for allowance with payment of the issue fee on March 19, 2004.

The patent's issue date is May 25, 2004.

The Patent Office improperly reduced the 225 day patent term adjustment by 68 days for the (post allowance) filing of Applicant's Comments.

Applicant respectfully requests that the current patent term adjustment be reconsidered.

### **B. Terminal Disclaimer**

The above-identified application is not subject to a Terminal Disclaimer.

### **C. Reasonable Efforts**

There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing of examination of the above-identified application, as set forth in 37 C.F.R. § 1.704.

## II. Fee

As required by 37 C.F.R. § 1.705(b)(1), this application is accompanied by a check for \$200.00 to cover the required fee. Please charge any deficiencies to our Deposit Account No. 06-0916. If there are any other fees due in connection with the filing of this request, please charge them to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated:

*July 19, 2004*

By:



Therese Hendricks  
Reg. No. 30,389